

## CHAPTER 62 NURSING HOME ADMINISTRATION

### Secs.

6200	General Provisions
6201	Term of License
6202	Educational Requirements
6203	Applicants Educated in Foreign Countries
6204	National Examination
6205	District Examination
6206	Continuing Education Requirements
6207	Approving Continuing Education Programs and Activities
6208	Continuing Education Credits
6209 - 6210	[Reserved]
6211	Practice of Nursing Home Administration by Students and Graduates
6299	Definitions

### 6200 GENERAL PROVISIONS

6200.1 This chapter shall apply to applicants for and holders of a license to practice nursing home administration.

6200.2 Chapters 40 (Health Occupations: General Rules) and 41 (Health Occupations: Administrative Procedures) of this title shall supplement this chapter.

**AUTHORITY:** Unless otherwise noted, the authority for this chapter is §302(14) of the District of Columbia Health Occupations Revision Act of 1985, D.C. Law 6-99, D.C. Code §2-3303.2(14) (1988 Repl. Vol.), 33 DCR 729, 732 (February 7, 1986), and Mayor's Order 86-110, 33 DCR 5220 (August 22, 1986).

**SOURCE:** Final Rulemaking published at 35 DCR 3774 (May 20, 1988).

### 6201 TERM OF LICENSE

6201.1 Subject to §6201.2, a license issued pursuant to this chapter shall expire at 12:00 midnight of June 30 of each even-numbered year.

6201.2 If the Director changes the renewal system pursuant to §4006.3 of chapter 40 of this title, a license issued pursuant to this chapter shall expire at 12:00 midnight of the last day of the month of the birthdate of the holder of the license, or other date established by the Director.

**SOURCE:** Final Rulemaking published at 35 DCR 3774 (May 20, 1988).

### 6202 EDUCATIONAL REQUIREMENTS

6202.1 Except as otherwise provided in this subtitle, an applicant shall furnish proof satisfactory to the Board, in accordance with §504(f) of the Act, D.C. Code §2-3305.4(f) (1987 Supp.), of the following:

- (a) That the applicant has earned a baccalaureate degree from a four (4) year institution of higher education which was accredited, at the time the degree was conferred, by an accrediting body recognized by the Secretary of the United States Department of Education or the Council on Postsecondary Accreditation;
- (b) With respect to applications submitted within three (3) years of the effective date of this chapter that the applicant has completed the following courses:
  - (1) Accounting, three (3) credit hours;
  - (2) Human resources or personnel management, three (3) credit hours;
  - (3) Management, three (3) credit hours; and
  - (4) Gerontology, three (3) credit hours;
- (c) With respect to applications submitted more than three (3) years after the effective date of this chapter that the applicant has completed the following courses:
  - (1) Accounting, three (3) credit hours;
  - (2) Human resources or personnel management, three (3) credit hours;
  - (3) Management, three (3) credit hours;
  - (4) Gerontology, three (3) credit hours;
  - (5) Health care law or health care ethics, three (3) credit hours; and
  - (6) Management of long term care institutions, three (3) credit hours; and
- (d) That the applicant meets one of the following requirements:
  - (1) That the applicant has worked for at least one (1) year during or after completion of the baccalaureate program in a nursing home licensed in the District under the general or immediate supervision of a nursing home administrator, which work meets the requirements listed in §6202.4, by submitting with the application a signed statement from each supervisor, as required in §6202.5; or
  - (2) That the applicant has earned a master's degree in a program accredited by the Accrediting Commission on Education for Health Services Administration (ACEHSA) which meets one of the following requirements:
    - (A) The program included an experiential component in a licensed nursing home; or
    - (B) The program was supplemented by employment in a licensed nursing home for six (6) month during or after completion of the master's program, which employment was under the general or immediate



supervision of a nursing home administrator, and which meets the requirements listed in §6202.4, by submitting with the application a signed statement from each supervisor, as required in §6202.5.

- 6202.2 An applicant shall submit to the Board with the completed application a certified transcript of the applicant's educational record(s), and when required by the Board, official course descriptions.
- 6202.3 Required courses shall be taken at an educational institution accredited by an accrediting body recognized by the Secretary of the United States Department of Education or the Council on Postsecondary Accreditation.
- 6202.4 The practical experience required by §§6202.1(d)(1) and 6202.1(d)(2)(B) shall be as follows:
- (a) Be rated as at least satisfactory by each supervisor;
  - (b) Include practice under general supervision averaging at least thirty-five (35) hours per week, two (2) hours per week of which shall be under immediate supervision; and
  - (c) Encompass all aspects of the practice of nursing home administration, including the following:
    - (1) Preparing and reviewing a budget encompassing all operations and contracting by the nursing home;
    - (2) Preparing a cost analysis of specific operational categories within the nursing home;
    - (3) Developing or reviewing Medicare and Medicaid cost reports;
    - (4) Reviewing all federal and District of Columbia laws relating to nursing homes, including reporting and filing requirements, resident care, resident's rights, and pharmacy services;
    - (5) Participating in the daily operations of each operational unit within the nursing home, including the making of administrative rounds;
    - (6) Reviewing procedures for handling medical emergencies and emergencies involving fires and cut-offs of water, gas, and electricity;
    - (7) Bookkeeping and financial management;
    - (8) Procurement, including purchasing and contracting procedures and decisions;
    - (9) Personnel management, including the recruitment of employees and volunteers, review and revision of position descriptions, and development and application of performance standards;
    - (10) Public relations;

- (11) Employee and volunteer training programs;
- (12) Resident care, including participation in the care of residents involved in daily activities;
- (13) Therapeutic services, including physical, occupational, and speech therapy;
- (14) Out-patient services available in the community;
- (15) Reviewing transfer agreements;
- (16) Generating and maintaining medical records;
- (17) Engineering and maintenance functions;
- (18) Housekeeping, including cleaning schedules, trash removal arrangements, and laundering;
- (19) Nursing, medical, dental, podiatric, pharmacy, and laboratory services and procedures;
- (20) Food and nutrition services;
- (21) Counseling and social work services;
- (22) Recreation programs;
- (23) Interaction with resident's council;
- (24) Safety and accident prevention procedures and devices;
- (25) Participation in the admission, transfer, and discharge of residents;
- (26) The role and functions of the governing body;
- (27) Evaluating the quality of resident care services;
- (28) Reviewing the adequacy of communication between staff and residents; and
- (29) Acquiring a knowledge of the residents' rights program.

6202.5

An applicant under §6202.1(d)(1) or §6202.1(d)(2)(B) shall demonstrate the required experience by submitting with the application a signed statement from each supervisor during the required period of experience, on a form approved by the Board, which sets forth the following:

- (a) The location at which and period of time during which the supervision took place;
- (b) The hours of general supervision of the applicant;



- (c) The hours of immediate supervision of the applicant;
- (d) The specific nature of and responsibilities included in the applicant's practice;
- (e) A rating of the applicant's performance; and
- (f) The supervisor's license number in the District of Columbia or other jurisdiction in which the supervision took place.

6202.6 Supervised practice which violates the Act or this chapter shall not be acceptable experience.

**SOURCE:** Final Rulemaking published at 35 DCR 3774 (May 20, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2752 (May 4, 1990).

## **6203 APPLICANTS EDUCATED IN FOREIGN COUNTRIES**

6203.1 The Board may grant a license to practice nursing home administration to an applicant who completed an educational program in a foreign country, which program is not accredited in accordance with §6202.1(a), if the applicant meets the following requirements:

- (a) Meets all requirements of this chapter except for §6202.1(a); and
- (b) Demonstrates to the satisfaction of the Board that the applicant's education and training are substantially equivalent to the requirements of this subtitle and the Act in ensuring that the applicant is qualified to practice nursing home administration, by submitting the documentation required by §6203.2.

6203.2 An applicant under this section shall, in lieu of meeting the educational accreditation requirement of §6202.1(a), submit one of the following:

- (a) Proof satisfactory to the Board that the applicant has received the required degree from a foreign institution that was accredited, at the time the degree was conferred, by an accrediting body recognized by the national government of the country in which the institution is located; or
- (b) A certification from a private education evaluation service approved by the Board that the applicant's foreign education is substantially equivalent to the education required by this chapter.

6203.3 If a document required by this chapter is in a language other than English, an applicant shall arrange for its translation into English by a translation service acceptable to the Board and shall submit a translation signed by the translator attesting to its accuracy.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3779 (May 20, 1988).

## **6204 NATIONAL EXAMINATION**

6204.1 To qualify for a license by examination, an applicant shall receive a passing score on the licensing examination sponsored by the National Association of Boards of Examiners for Nursing Home Administrators (NABENHA) (the national examination).

- 6204.2 An applicant shall not be eligible to take the national examination until all requirements for a license other than the requirements of §6205 are met.
- 6204.3 An applicant shall submit the applicant's examination results, which have been certified or validated by NABENHA, to the Board with the completed application.
- 6204.4 The passing score on the national examination shall be seventy-five percent (75%).
- 6204.5 An applicant who has passed the national examination more than five (5) years prior to the application date, but who does not qualify for a license by reciprocity, shall not be required to retake the examination if the applicant demonstrates to the satisfaction of the Board that the applicant has been continuously licensed and practicing as a nursing home administrator in the United States since the date the applicant passed the examination.
- 6204.5 An applicant under this section who fails the national examination on three (3) consecutive attempts shall not be permitted to take another national examination for one (1) year following the third failure. Thereafter, the applicant shall not be permitted to take the national examination for one (1) year after each failure.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3780 (May 20, 1988); as amended by Final Rulemaking published at 37 DCR 2747, 2752 (May 4, 1990).

## **6205 DISTRICT EXAMINATION**

- 6205.1 To qualify for a license, all applicants without exception shall receive a passing score on a written examination developed by the Board on laws and rules pertaining to the practice of nursing home administration (the District examination) and shall sit for an interview with the Board.
- 6205.2 The Board shall administer the District examination and conduct interviews at least three (3) times a year.
- 6205.3 An applicant shall not be eligible to take the District examination or sit for an interview until all other requirements for a license are met.
- 6205.4 The District examination may include, but is not limited to, questions on the following subjects:
- (a) Grounds for disciplinary action set forth in §514 of the Act, D.C. Code §2-3305.14 (1987 Supp.);
  - (b) Requirements concerning supervision of the practice of nursing home administration set forth in this chapter; and
  - (c) The Health Care and Community Residence Facility Hospice and Home Care Licensure Act of 1983, D.C. Law 5-48, rules promulgated pursuant to that Act, and rules governing skilled care facilities and intermediate care facilities in the District of Columbia set forth in chapters 30 through 33 of DCMR Title 22.
- 6205.5 An applicant who fails the District examination on three (3) consecutive attempts shall not be permitted to retake the examination for six (6) months following the



third failure. Thereafter, the applicant shall not be permitted to retake the District examination for one (1) year after each failure.

6205.6 The interview may include oral questions from Board members regarding the applicant's past and present experience relating to the practice of nursing home administration.

6205.7 The Board shall not deny an applicant a license on the basis of an interview unless statements by the applicant at the interview indicate that the applicant has violated or does not qualify under the Act or this subtitle.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3780 (May 20, 1988).

## **6206 CONTINUING EDUCATION REQUIREMENTS**

6206.1 Subject to §6206.2, this section shall apply to applicants for the renewal, reactivation, or reinstatement of a license for a term expiring June 30, 1990 and for subsequent terms.

6206.2 This section shall not apply to applicants for an initial license by examination, reciprocity, or endorsement, nor shall it apply to applicants for the first renewal of a license granted by examination.

6206.3 A continuing education credit shall be valid only if it is part of a program or activity approved by the Board in accordance with §6207.

6206.4 An applicant for renewal of a license shall submit proof of having completed forty (40) hours of approved continuing education credit during the two-year (2) period preceding the date the license expires, except that an applicant for renewal of a license which expires on June 30, 1990, shall submit proof of having completed twenty (20) hours of approved continuing education credit between July 1, 1989, and June 30, 1990.

6206.5 To qualify for a license, a person in inactive status within the meaning of §511 of the Act, D.C. Code §2-3305.11 (1987 Supp.) who submits an application to reactivate a license shall submit proof of having completed twenty (20) hours of approved continuing education credit for each license year after June 30, 1989, that the applicant was not actively licensed, up to a maximum of one hundred (100) hours. At least twenty (20) hours of approved continuing education credit shall have been completed in the one (1) year period prior to the application date.

6206.6 To qualify for a license, an applicant for reinstatement of a license shall submit proof of having completed twenty (20) hours of approved continuing education credit for each year after June 30, 1989, that the applicant was not licensed, up to a maximum of one hundred (100) hours. At least twenty (20) hours of approved continuing education credit shall have been completed in the one (1) year period prior to the application date.

6206.7 An applicant under this section shall prove completion of required continuing education credits by submitting with the application the following information with respect to each program:

- (a) The name and address of the sponsor of the program;
- (b) The name of the program, its location, a description of the subject matter covered, and the names of the instructors;
- (c) The dates on which the applicant attended the program;
- (d) The hours of credit claimed; and
- (e) Verification by the sponsor of completion, by signature or stamp.

6206.8 An applicant for renewal of a license who fails to submit proof of having completed continuing education requirements by the date the license expires may renew the license up to sixty (60) days after expiration by submitting proof pursuant to §6206.7 and by paying the required additional late fee.

6206.9 Upon submitting proof and paying the late fee, the applicants shall be deemed to have possessed a valid license during the period between the expiration of the license and the submission of the required documentation and payment of the late fee.

6206.10 If an applicant for renewal of a license fails to submit proof of completion of continuing education requirements or pay the late fee within sixty (60) days after the expiration of applicant's license, the license shall be considered to have lapsed on the date of expiration.

6206.11 The Board may, in its discretion, grant an extension of the sixty (60) day period to renew after expiration if the applicant's failure to submit proof of completion was for good cause. As used in this section, "good cause" includes the following:

- (a) Serious and protracted illness of the applicant;
- (b) The death or serious and protracted illness of a member of the applicant's immediate family.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3781 (May 20, 1988).

## **6207 APPROVED CONTINUING EDUCATION PROGRAMS AND ACTIVITIES**

6207.1 The Board may, in its discretion, approve continuing education programs and activities that contribute to the growth of an applicant in professional competence in the practice of nursing home administration and which meet the other requirements of this section.

6207.2 The Board may approve the following types of continuing education programs, if the program meets the requirements of §6207.3:

- (a) An undergraduate or graduate course given at an accredited college or university;
- (b) A seminar or workshop; and



- (c) An educational program given at a conference.

6207.3 To qualify for approval by the Board, a continuing education program shall do the following:

- (a) Be current in its subject matter;
- (b) Be developed and taught by qualified individuals; and
- (c) Meet one of the following requirements:
  - (1) Be administered or approved by an organization, educational institution, or health care facility approved by the Board; or
  - (2) Be submitted by the program sponsors to the Board for review no less than sixty (60) days prior to the date of the presentation and be approved by the Board.

6207.4 The Board may issue and update a list of approved continuing education programs, organizations, educational institutions, or health care facilities.

6207.5 An applicant shall have the burden of verifying whether a program is approved by the Board pursuant to this section prior to attending the program.

6207.6 The Board may approve the following continuing education activities by an applicant:

- (a) Serving as an instructor or speaker at an approved continuing education program; or
- (b) Publishing a book or a chapter in a book or publishing a book review, article, or abstract in a professional journal or bulletin.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3783 (May 20, 1988).

## **6208 CONTINUING EDUCATION CREDITS**

6208.1 The Board may grant continuing education credit for whole hours only, with a minimum of fifty (50) minutes constituting one (1) credit hour.

6208.2 For approved undergraduate or graduate courses, each semester hour of credit shall constitute fifteen (15) hours of continuing education credit, and each quarter hour of credit shall constitute ten (10) hours of continuing education credit.

6208.3 A minimum of fifty percent (50%) of an applicant's continuing education requirement shall be fulfilled by completing continuing education programs under §§6207.2(b) or (c) (seminars or workshops, or educational programs given at conferences).

6208.4 The Board may grant continuing education credit to an applicant who serves as an instructor or speaker at an approved program for preparation and presentation time, subject to the following restrictions:

- (a) The maximum amount of credit that may be granted for preparation time shall be equal to the amount of the associated presentation time;
- (b) If an applicant has previously received credit in connection with a particular presentation, the Board shall not grant credit in connection with a subsequent presentation unless it involves either a different subject or substantial additional research concerning the same subject; and
- (c) The presentation shall have been completed during the period for which credit is claimed.

6208.5 The Board may grant continuing education credit under §6207.6(b) only if the applicant proves to the satisfaction of the Board that the work has been published or accepted for publication during the period for which credit is claimed.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3784 (May 20, 1988).

**6209 - 6210 [RESERVED]**

**6211 PRACTICE OF NURSING HOME ADMINISTRATION BY STUDENTS AND GRADUATES**

6211.1 A student or graduate may practice nursing home administration only under the general or immediate supervision of a nursing home administrator in accordance with this section.

6211.2 Only the following persons shall be authorized to practice under this section:

- (a) Students whose practice fulfills educational requirements under §103(c) of the Act, D.C. Code §2-3301.3 (1987 Supp.) and §6202 of this chapter;
- (b) Students whose practice is not in fulfillment of educational requirements; Provided, that the student shall arrange for submission of a letter from the student's educational institution to the Board which certifies that the student is actively completing an educational program pursuant to §6202.1 and that the institution has no objection to the student's practice; and
- (c) Graduates fulfilling experience requirements under §504(f)(1)(B) of the Act, D.C. Code §2-3305.4(f)(1)(B) (1987 Supp.) and §6202 of this chapter, or during the pendency of the graduate's initial application for a license under this chapter.

6211.3 A person who has been denied a license, has been disciplined, or who is the subject of a pending denial or disciplinary action, in the District of Columbia or another jurisdiction, may not practice pursuant to this section unless authorized by the Board in writing to do so.



- 6211.4 A supervisor shall, within two (2) weeks of supervising a student or graduate, inform the Board in writing of the following:
- (a) The supervisor's name and address;
  - (b) The student or graduate's name;
  - (c) The expected period of supervision; and
  - (d) The nature and location of the practice of the student or graduate.
- 6211.5 A student or graduate shall, within two (2) weeks of practicing pursuant to this section, inform the Board in writing of the following:
- (a) The supervisee's name and address;
  - (b) The supervisor's name;
  - (c) The expected period of supervision;
  - (d) The nature and location of the practice of the student or graduate; and
  - (e) The jurisdictions in which the supervisee is licensed, if any.
- 6211.6 A student or graduate shall wear a badge which identifies himself or herself as a student or graduate to a resident before performing actions of a nursing home administrator.
- 6211.7 At least eight (8) hours of supervised practice during any one (1) month period shall be under immediate supervision.
- 6211.8 A graduate may not practice under this section for more than eighteen (18) months unless such practice is during the pendency of an of an initial application by the student or graduate for a license under this chapter. However, the Board, in its discretion, may extend the eighteen (18) month limit for good cause shown.
- 6211.9 A student or graduate shall not receive compensation of any nature, directly or indirectly, from a resident, except a salary based on hours worked under supervision.
- 6211.10 A supervisor shall be fully responsible for all supervised practice by a student or graduate during the period of supervision and is subject to disciplinary action pursuant to §514 of the Act, D.C. Code §2-3305.14 (1987 Supp.) for any violation of the Act or this chapter by the student or graduate.
- 6211.11 A student or graduate shall be subject to all of the applicable provisions of the Act and this subtitle.
- 6211.12 The Board may deny authorization to practice pursuant to this section, deny a license, or take other disciplinary action against a student or graduate who is found to have violated the Act or this subtitle, in accordance with chapter 41 of this title.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3785 (May 20, 1988).

## **6299 DEFINITIONS**

6299.1 As used in this chapter, the following terms have the meanings ascribed:

**Applicant** - a person applying for a license as a nursing home administrator under this chapter.

**Board** - the Board of Nursing Home Administration, established by §205 of the Act, D.C. Code §2-3302.5 (1987 Supp.).

**General supervision** - supervision in which the supervisor is available to the supervisee either in person or by communications device.

**Immediate supervision** - supervision in which the supervisor is physically with the supervisee and either discussing or observing the supervisee's practice.

**Nursing home** - a twenty-four (24) hour inpatient facility, or distinct part thereof, primarily engaged in providing professional nursing services, health-related services, and other supportive services needed by the patient or resident.

**Nursing home administrator** - a person licensed to practice as a nursing home administrator.

6299.3 The definitions in §4099 of chapter 40 of this title are incorporated by reference into and apply to this chapter.

**SOURCE:** Final Rulemaking published at 35 DCR 3774, 3787 (May 20, 1988).